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ZONING BOARD OF APPEALS

Sherri Boivin, Board Secretary

NOTICE OF DECISION

A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:

- #8-06** from Richard and Joan Thomas, 15 Cousens Circle, Newton, MA, requesting a 4.2 foot variance from the rear yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One, in order to legalize an existing noncompliant screen porch resulting in a rear yard setback of 10.8 feet. **(Required rear yard setback for old lots created prior December 7, 1953 is 15 feet.)** The property is located in a Single Residence 2 district. **The petitioners' request for a variance from the rear yard requirements was granted, subject to conditions, 4-0.**
- #9-06** from Shirley G. Lai, 57 Court Street, Newton, MA, appealing the decision of the Commissioner of Inspectional Services that the burden of proof has not been met to establish the existence of an accessory apartment at the property prior to December 31, 1979. The property is located in a Multi Residence 1 District. **The petitioners' appeal of the decision of the Commissioner of Inspectional Services was denied, 2-2.**

Any appeal of the above decisions must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A, or to the Housing Appeals Committee with twenty (20) days of its filing with the City Clerk in accordance with Section 22 of Massachusetts General Law, Chapter 40B.

Decision numbers 8-06 and 9-06 were filed on October 19, 2006.